

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO,
ET AL.,

Defendants.

No. 3:12-cv-2039 (GAG)

**JOINT MOTION REQUESTING ORDER APPOINTING ARNALDO CLAUDIO AS
TECHNICAL COMPLIANCE ADVISOR**

COME NOW jointly Plaintiff, United States of America, and Defendants, Commonwealth of Puerto Rico, et al. (collectively, the “Parties”), and respectfully inform this Court that the Parties have selected a Technical Compliance Advisor for this Court’s consideration and approval. The Parties thank this Court for the time allotted to complete its review of candidates and for its guidance throughout the selection process. After an exhaustive review, the Parties have jointly selected Arnaldo Claudio to serve as Technical Compliance Advisor (“TCA”) under the Agreement for the Sustainable Reform of the Puerto Rico Police Department (the “Agreement”), Dkt. 60. The Parties respectfully request that this Court endorse Mr. Claudio’s selection and issue an order of appointment. For cause, the Parties jointly state and allege:

1. Paragraph 271 of the Agreement provides, “Within 60 days of the Effective Date, the Parties shall together select an independent TCA, acceptable to both, who shall assess and report on PRPD's implementation of this Agreement. The selection of the TCA shall be pursuant to a method jointly established by the Parties, and will not be governed by any formal or legal procurement requirements.” Id.

2. On February 20, 2014, the former TCA resigned the position. See Order, Feb. 21, 2014, Dkt. 107. The Parties have been working collaboratively to identify the most qualified candidates to carry out the critical tasks of the TCA. In the Court's last minute order, the Parties were granted until June 15, 2014, to submit a joint candidate or separate candidates if the Parties were unable to reach consensus. See Minutes and Order, May 14, 2014.
3. The Parties have worked diligently to identify a candidate who possesses the qualifications, knowledge, and experience necessary to successfully carry out the duties of the TCA. The Parties considered numerous objective factors in developing a candidate profile that included: (a) the effective management of law enforcement organizations to ensure public safety and respect for individual rights; (b) implementing organizational change and institutional reform; (c) use of technology and information systems to support and enhance law enforcement activities and initiatives; and (d) language and cultural competency.
4. After careful review and consultation, the Parties have selected Arnaldo Claudio as TCA to assist the Court, the Parties, and the public in promoting constitutional policing and determining whether the terms of the Agreement have been fully and timely implemented.
5. The Parties believe and agree that Mr. Claudio has all of the qualifications to serve as the TCA. Mr. Claudio has held numerous esteemed positions in law enforcement, security, and the military, and has led law enforcement and corrections reform efforts throughout Latin America and the Middle East. Mr. Claudio currently serves as the Inter-Agency Program Director for the Joint Force Headquarters National Capital Region, responsible

for homeland defense and incident management in the District of Columbia and surrounding region. Mr. Claudio's résumé is attached hereto as Attachment A and provides a full account of his professional and academic achievements.

6. Mr. Claudio intends to hire other experienced law enforcement professionals and subject-matter experts in constitutional policing and civil rights to assist him in providing technical assistance, assessing compliance, preparing reports, and engaging with the community. The Parties agree that it is essential that Mr. Claudio be supported by a team that is experienced in civilian community oriented policing and community engagement in oversight and reform. Over the next few weeks, together with Mr. Claudio and the Court, the Parties will collectively vet potential team members.
7. Mr. Claudio confirms his commitment to residing in Puerto Rico while serving as TCA, to ensure direct oversight of the reform process and communication with community stakeholders. Mr. Claudio is a native of Puerto Rico and is fluent in Spanish and English.
8. Mr. Claudio will resign from his current position at Joint Force Headquarters National Capital Region upon his confirmation as TCA.

WHEREFORE, the Parties respectfully request that the Court endorse the Parties' selection of Arnaldo Claudio as TCA and issue an order of appointment to become effective on June 6, 2014.

Respectfully submitted, this 4th day of June, 2014,

FOR PLAINTIFF UNITED STATES:

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Acting Assistant Attorney General

FOR DEFENDANT COMMONWEALTH OF
PUERTO RICO:

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JONATHAN M. SMITH
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s/Luis E. Saucedo

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CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2014, a copy of the foregoing was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

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